IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.528 OF 2005

IN

WRIT PETITON NO.7552 OF 2004

Sai Repowering Works Pvt.Ltd. & Anr. ..Applicants.

V/s.

Union of India & Ors. ..Respondents.

Mr.V.V.Pai with H.R. Shetty for applicants.

Mr.P.S.Jetly with Y.R. Mishra for respondents.

CORAM : S.RADHAKRISHNAN AND J.P.DEVADHAR, JJ.

DATED : 3RD MARCH, 2005.

P.C. :-

1. Heard the learned counsel for the applicants and the respondents.

2. Rule. Rule made returnable forthwith.

3. The learned counsel for the respondents waives

service. By consent taken up for hearing.

4. The main grievance of the applicant is that as per our order dated 9th February, 2005 the applicant was heard in the above matter on 15th February, 2005 by Mr.S.S.Katiyar, Deputy Commissioner of Customs, but no order has yet been passed. However, Mr.Jetly, the learned counsel points out that the order has already been passed on 26th February, 2005 and he produced before us by fax copy of the said order. In view of the above, nothing further survives in the civil application.

5. Civil application stands dismissed.

(S.RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)